

LS 5-2270b

OGC Has Reviewed

30 December 1955

MEMORANDUM FOR: Deputy Director (Support)

SUBJECT: Travel Expenses of Dependents of [redacted] 25X1A9A
and [redacted] 25X1A9A

1. In a memorandum dated 25 October 1955 we stated;

25X1A9A "It is the opinion of this Office that Messrs. [redacted] and 25X1A9A [redacted] may be reimbursed for the costs of travel of their dependents, including the extra transportation costs incurred solely because the dependents traveled in the 'on' season, although the cost to the Government would have been less if the dependents had traveled at the same time as the employees, that is, in the 'off' season."

That opinion was based upon the premise that separate travel of the dependents had been authorized in the interest of the Government. The premise was based upon a statement that the authority was granted made in a memorandum by the Inspector General dated 15 September 1955.

A subsequent review of the facts surrounding the [redacted] and [redacted] cases has revealed that there was some misunderstanding as to the dependents' authority to travel. There was no intention to authorize advance travel and the employees' claims that it was authorized are based upon disputable evidence.

2. The facts now available to us indicate that it is doubtful that the Comptroller General would approve reimbursement for the excess costs in either case. It is also apparent that both cases are not identical in their facts and that authorized reimbursement in one case would not necessarily mean that reimbursement could be authorized in the other. The documentation of authority to incur extra costs is very weak and is negated by strong documentation in the form of travel orders which do not authorize incurring extra costs. Under such circumstances a certifying officer will not certify the vouchers for the extra costs. These are not cases where it would be appropriate to make payment by using the special authority contained in [redacted]

25X1

3. Inasmuch as the expenses incurred by these [] employees 25X1A7B must be paid from vouchered funds and in light of the facts uncovered since our memorandum of 25 October 1955, it appears the only remaining possibility would be (as suggested by the Comptroller in his memorandum to your Office of 17 October 1955) to submit the problem to the Comptroller General for decision. This Office can prepare the submissions in conjunction with the Office of the Comptroller.

4. Our opinion of 25 October 1955 is modified in accordance with this memorandum.

25X1A9A

[]
Office of General Counsel

CONCURRENCE:

25X1A9A

[] /s,

Deputy Comptroller

OGC:JDM:mz

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